

Section 98-111. Definitions.

Occupant shall mean any person living, sleeping, cooking or having actual possession of a dwelling unit, other than a temporary guest; a person who is using the property as a legal address for any purpose; or any person having actual possession of any building or structure other than a dwelling unit or rooming unit.

Owner means any person who, alone or jointly or severally with others:

- A. Has legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- B. Has possession, charge, care and/or control of any dwelling or dwelling unit, as owner or agent of the owner or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any person thus representing the actual owner shall be bound to comply with the provisions of this Article, and of the rules and regulations adopted pursuant to this Article, to the same extent as if he were the owner.

Cart means the 96 gallon wheeled **cart or any other container** provided by the City for disposing of residential, retail, commercial and/or office garbage, trash or rubbish.

Dumpster means a trash receptacle which may hold 5 or more yards of residential, retail, commercial and/or office garbage, trash or rubbish.

Section 98-142. Containers

1. (a) Required. It shall be the duty of every person owning or leasing a residence or place of business in the City wherein garbage accumulates from anything whatsoever to maintain in a clean and odor free condition a cart provided by the City.

(b) Standards. The only container that maybe used must be a cart that the City will supply. In some cases, where numerous carts are needed, such as apartment complexes, the City may, at its discretion, provide dumpsters for the garbage, trash or rubbish.

Plastic garbage bags with tight-fitting tie closures may be used, but shall be placed inside the cart or dumpster with the lids thereof being closed at all times other than when something is being placed in them. Each cart provided by the City will be equipped with convenient handles and wheels so it will be readily moveable by one person. The carts shall be equipped with a tight-fitting lid or cover so constructed that it shall be watertight, fly proof, raccoon proof, and rat proof.

(c) Placement for collection. All carts must be put out for collection by 7:00 a.m. on the day scheduled for their collection with the arrows located on the carts pointing out toward the street or alley from which collection is made. All carts must have open access for the trash collectors to retrieve them. For street pick-up, carts shall be set out no more than 24 hours prior to the usual time of collection and shall be removed within 24 hours after collection. Reasonable precautions must be taken by customers to protect the carts from the depredations of dogs, cats and other animals to prevent the scattering of the material stored in the cart until collected by the City. The City may, by and through any person or officer authorized by the Mayor, designate the location on the premises where the carts are to be placed before the time the garbage collectors are scheduled to reach the premises on the day collections are scheduled for the district. The premises owner shall insure that each cart used for the premises shall be clearly identified in indelible letters at least 2 inches in height with the service address or apartment number of the premises served by each cart. At no time shall the cart be moved from its assigned address. The Refuse Department must be contacted at (219) 873-1530 for special pick-up at the normal collection location of all large items that cannot fit within the cart.

(d) Storage of garbage. All garbage, trash or rubbish which accumulates shall be deposited in either a cart or dumpster. The lid to every cart and dumpster shall be kept on and closed at all times other than when placing items in them.

(e) Distribution of the carts to all City residences or places of business shall be within forty-five (45) days of the issuance of an Executive Order by the Mayor of the City of Michigan City and upon approval of the necessary funding appropriations by the Michigan City Common Council.